

REC-11
FILED
MAR 31 2008
U.S. DISTRICT COURT
S.D. OF N.Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

QUICKIE, LLC,

Plaintiff

- against -

GREENBERG TRAURIG, LLC, THELEN,
REID, BROWN, RAYSMAN & STEINER,
L.L.P. (FORMERLY KNOWN AS THELEN,
REID & PRIEST, LLP); and ROBERT E.
KREBS, ESQ

Defendants

THELEN, REID, BROWN, RAYSMAN &
STEINER, L.L.P. (FORMERLY KNOWN AS
THELEN, REID & PRIEST, LLP); and
ROBERT E. KREBS, ESQ

Third Party Plaintiffs

- against -

TODD SHARINN, PEPE & HAZARD LLP,
ALAN FELL, and RICK, STEINER, FELL,
& BENOWITZ, LLP

Third Party Defendants

07-cv-10331 (RMB)(DFE)

NOTICE OF MOTION FOR
ADMISSION *PRO HAC VICE*

FILED
U.S. DISTRICT COURT
2008 MAR 31 AM 9:44
S.D. OF N.Y.

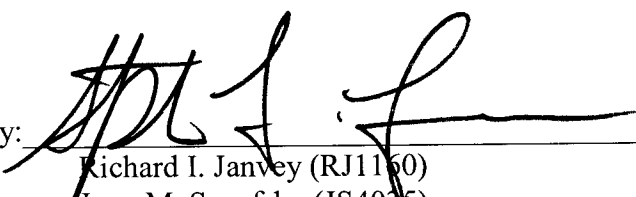
PLEASE TAKE NOTICE that, upon the Affidavit of Stephen T. Loden, sworn to March 27, 2008, and the Petition of Walter J. "Skip" Scott, sworn to March 19, 2008, and the exhibits annexed thereto, and upon all prior papers filed and proceedings heretofore had herein, Plaintiff will move this court, before the Honorable Richard M. Berman, Courtroom 21-D, at the United States Courthouse located at 500 Pearl Street, New York, New York 10007, as soon as this Motion can be heard, for an Order pursuant to Local Civil Rule 1.3(c), admitting Mr. Scott, *pro*

hac vice, to argue or try this case in whole or in part, and permitting his firm, Diamond McCarthy LLP, to file a Notice of Appearance designating him as an additional attorney-of-record for Plaintiff in this action.

Dated: New York, New York
March 27, 2008

Respectfully submitted,

DIAMOND MCCARTHY LLP
Attorneys for Plaintiff

By: 
Richard I. Janvey (RJ1160)
Joan M. Secofsky (JS4036)
Stephen T. Loden (SL8754)

620 Eighth Avenue, 39th Floor
New York, New York 10018
(212) 430-5400
(212) 430-5499
rjanvey@diamondmccarthy.com
jsecofsky@diamondmccarthy.com
sloden@diamondmccarthy.com

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

QUICKIE, LLC,

Plaintiff

- against -

GREENBERG TRAURIG, LLC, THELEN,
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Third Party Defendants

07-cv-10331 (RMB)(DFE)

**AFFIDAVIT OF STEPHEN T. LODEN IN SUPPORT OF
MOTION TO APPEAR *PRO HAC VICE***

STEPHEN T. LODEN, being duly sworn, deposes and states:

1. I am a member of the bar of the State of New York and of this Court, and a member of the firm Diamond McCarthy LLP, attorneys for Plaintiff in the above-captioned action. This Affidavit is made in support of Plaintiff's Motion for an Order, pursuant to Local Civil Rule 1.3(c), admitting Walter J. "Skip" Scott, of the firm Diamond McCarthy LLP with his

primary office at 1201 Elm Street, Suite 3400, Dallas, Texas 75270, to argue or try this case in whole or in part, and permitting Diamond McCarthy LLP to file a Notice of Appearance designating Mr. Scott as an additional attorney-of-record for Plaintiff herein.

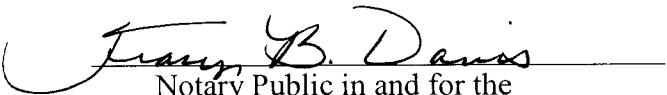
2. Mr. Scott is a member of the firm Diamond McCarthy LLP and has submitted an Affidavit and Certification in support of this Motion. Mr. Scott is a member in good standing of the bar of the State of Texas and is admitted to practice in the United States District Courts reflected in his Petition. The relevant Certificates of Good Standing are annexed as Exhibit A to his Affidavit.

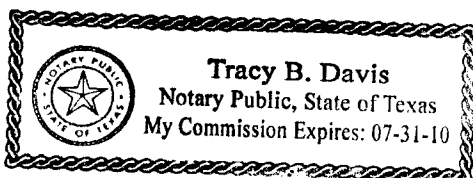
3. As also stated in his Affidavit, Mr. Scott is familiar with the facts of this case. Mr. Scott further states that he has read and is familiar with the rules of this Court, and he has agreed to abide by these rules.

WHEREFORE, your deponent respectfully requests that the within Motion for an Order (i) admitting Mr. Scott, *pro hac vice*, to argue or try this case in whole or in part, and (ii) permitting Diamond McCarthy to file a Notice of Appearance designating Mr. Scott as an additional attorney-of-record for the Plaintiff herein, be granted in all respects.


STEPHEN T. LODEN

Sworn to before me this 27th day of
March, 2008.


Notary Public in and for the
State of Texas



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

QUICKIE, LLC,

Plaintiff

- against -

GREENBERG TRAURIG, LLC, THELEN,
REID, BROWN, RAYSMAN & STEINER,
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- against -

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& BENOWITZ, LLP

Third Party Defendants

07-cv-10331 (RMB)(DFE)

**AFFIDAVIT OF WALTER J. "SKIP" SCOTT IN SUPPORT OF
MOTION TO APPEAR *PRO HAC VICE***

WALTER J. "SKIP" SCOTT, being duly sworn, deposes and states:

1. This Affidavit is submitted in support of the motion seeking my *pro hac vice* admission to represent the Plaintiff in above-captioned action before this Court.

2. I am a member in good standing of the Bar of the State of Texas and have been since 1988. Attached hereto as Exhibit A is a good standing certificate from the Supreme

Court of Texas and the State Bar of Texas attesting as to my good standing. I am also admitted to practice before the United States Circuit Court of Appeals for the 5th Circuit (2003), and before the United States District Courts for the Northern and Eastern Districts of Texas (1990 and 2004, respectively).

3. I am a member of the law firm of Diamond McCarthy LLP and maintain an office at 1201 Elm Street, Suite 3400, Dallas, Texas 75270.

4. I have never been held in contempt of court.

5. I have never been censured, suspended or disbarred by any court.

6. I have read the rules of the United States District Court for the Southern District of New York and I am familiar with them.

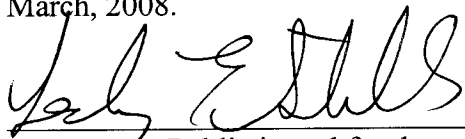
7. I have been one of the principal attorneys responsible for the above-captioned action and I am fully familiar with all proceedings herein. I hereby request that I be permitted to try the case with Stephen T. Loden and Richard I. Janvey.

6. I hereby undertake that the fee of \$25.00 for *pro hac vice* admission will be paid to the clerk of the Court, Cashier's Office.

WHEREFORE, I submit this Affidavit seeking my admission *pro hac vice* to represent Plaintiffs in the above-captioned action.

WALTER J. "SKIP" SCOTT

Sworn to before me this 19th day of March, 2008.



Notary Public in and for the
State of Texas

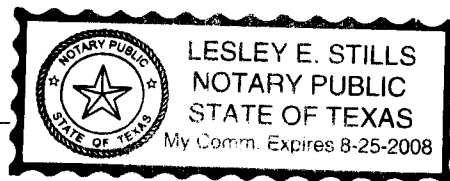


EXHIBIT A

STATE BAR OF TEXAS



Office of The Chief Disciplinary Counsel

March 13, 2008

RE: **Mr. Walter James Scott, Jr.**
State Bar Number - **17918405**

To Whom it May Concern:

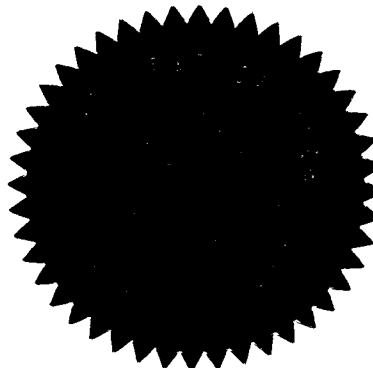
This is to certify that Mr. Walter James Scott, Jr. was licensed to practice law in Texas on May 06, 1988 and is an active member in good standing with the State Bar of Texas.

Good Standing means that the attorney is current on payment of Bar dues and attorney occupation tax; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension.

No disciplinary action involving professional misconduct has been taken against the attorney's law license. This certification expires 30 days from this date, unless sooner revoked or rendered invalid by operation of rule or law.

John A. Neal
Chief Disciplinary Counsel

JN/dh



The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

Walter James Scott, Jr.

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 6th day of May, 1988.

I further certify that the records of this office show that, as of this date

Walter James Scott, Jr.

is presently enrolled with the State Bar of Texas as an active member in good standing.

IN TESTIMONY WHEREOF witness my hand

and the seal of the Supreme Court of
Texas at the City of Austin, this, the
14th day of March, 2008.

BLAKE HAWTHORNE, Clerk

by *Brad Sonogo*
Brad Sonogo, Deputy Clerk

No. 0314I

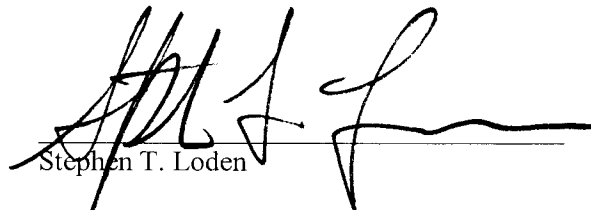
CERTIFICATE OF SERVICE

I hereby certify that, on March 27, 2008, I caused to be served the within NOTICE OF MOTION FOR ADMISSION *PRO HAC VICE*, together with the supporting Affidavits of Stephen T. Loden and Walter J. "Skip" Scott in the above captioned cause by overnight delivery, facsimile, and/or electronic mail to the following:

Martin I. Kaminsky
Justin Y. K. Chu
Pollack & Kaminsky
114 West 47th Street
New York, New York 10036
mikaminsky@pollacklawfirm.com
jchu@pollacklawfirm.com
(212) 575-6560 (facsimile)

Steven C. Krane
Proskauer Rose LLP
1585 Broadway
New York, NY 10036-8299
skrane@proskauer.com
(212) 969-2000 (facsimile)

Pamela A. Bresnahan
Vorys, Sater, Seymour and Pease LLP
1828 I Street, N.W., 11th Floor
Washington, DC 20036-5109
pbresnahan@vssp.com
(202) 533-9020 (facsimile)



Stephen T. Loden

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

QUICKIE, LLC,

Plaintiff

- against -

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& BENOWITZ, LLP

Third Party Defendants

07-cv-10331 (RMB)(DFE)

**ORDER GRANTING MOTION OF
WALTER J. "SKIP" SCOTT TO APPEAR *PRO HAC VICE***

This matter is before the Court on the Motion of Plaintiff, Quickie, LLC to allow Walter J. "Skip" Scott to be admitted *pro hac vice* to practice before this Court.

Walter J. "Skip" Scott has filed an Affidavit and Certification in accordance with the Local Rules of this Court and has certified that he will abide by the rules, conditions and provisions of the District Court. Accordingly, based on the foregoing, and for good cause shown,

it is

ORDERED that Walter J. "Skip" Scott be and hereby is, admitted to practice before this Court in this matter.

IT IS SO ORDERED

Dated: New York, New York
March __, 2008.

The Honorable Richard M. Berman
United States District Judge